

1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East 14th Street**
4 **Des Moines, Iowa 50319-0147**

5
6 **Minutes**

7
8 **October 5, 2007**
9
10

11 The Board of Educational Examiners held its monthly meeting on October 5, 2007.
12 Board Chair, Judy Jeffrey, called the meeting to order. Members attending were
13 John Aboud, Ying Ying Chen, Brad Dirks, Tammy Duehr, Judy Jeffrey, Merle
14 Johnson, Thomas Paulsen, Greg Robinson, and Jean Seeland. Also in attendance
15 was Dr. George Maurer, Executive Director of the Board. Jeffrey Henderson and
16 Bev Smith were unable to attend the meeting.

17
18 Jean Seeland moved, with a second by Ying Ying Chen, that the Board go into
19 closed session for the purposes of discussing whether to initiate licensee
20 disciplinary proceedings and discussing the decision to be rendered in a contested
21 case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED**
22 **UNANIMOUSLY.**

23
24 Ying Ying Chen moved, with a second by Tammy Duehr, that in **cases number**
25 **06-46 and 07-01**, In the Matter of Judith Elaine Kniep, the Board accept the
26 stipulation and settlement submitted by the parties, and issue an Order
27 incorporating the agreement of the parties and imposing the agreed upon sanction.
28 Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes;
29 Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED**
30 **UNANIMOUSLY.**

31
32 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 07-05**,
33 In the Matter of Michael James Brummond, the Board not initiate review of the

1 proposed decision and allow the proposed decision to become the final decision of
2 the Board unless an appeal is taken by one of the parties within the time allowed
3 by rule. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes;
4 Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes.

5 **MOTION CARRIED UNANIMOUSLY.**

6
7 Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 07-**
8 **03**, In the Matter of Dixie Waldo Forcht, that the Board not initiate review of the
9 proposed decision and allow the proposed decision to become the final decision of
10 the Board unless an appeal is taken by one of the parties within the time allowed
11 by rule. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes;
12 Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes.

13 **MOTION CARRIED UNANIMOUSLY.**

14
15 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 07-**
16 **09**, the Board find that the evidence gathered in the investigation, including
17 witness statements and the documentary evidence, does not corroborate the
18 allegations in the complaint, and that the Board therefore lacks probable cause to
19 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes;
20 Johnson – yes; Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and
21 Dirks – yes. **MOTION CARRIED UNANIMOUSLY.**

22
23 Jean Seeland moved, with a second by Tammy Duehr, that in **case number 07-10**,
24 the Board find that the evidence gathered in the investigation, including witness
25 statements and the documentary evidence, does not corroborate the allegations in
26 the complaint, and that the Board therefore lacks probable cause to proceed with
27 this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes;
28 Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes.

29 **MOTION CARRIED UNANIMOUSLY.**

30
31 Ying Ying Chen moved, with a second by Jean Seeland, that in **case number 07-**
32 **14**, In the Matter of Arnold Snook, the Board find probable cause to establish a
33 violation of the following provisions of the Code of Professional Conduct and Ethics,

1 282 IAC 25.3(6)(m) and 25.3(8)(a) and (b) and order this case set for hearing. Roll
2 call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes;
3 Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED**
4 **UNANIMOUSLY.**

5
6 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 07-15,**
7 the Board find that the evidence gathered in the investigation, including witness
8 statements and the documentary evidence, does not corroborate the allegations in
9 the complaint, and that the Board therefore lacks probable cause to proceed with
10 this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes;
11 Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes.
12 **MOTION CARRIED UNANIMOUSLY.**

13
14 Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 07-**
15 **16,** In the Matter of Arnold Snook, the Board find probable cause to establish a
16 violation of the following provisions of the Code of Professional Conduct and Ethics,
17 282 IAC 25.3(6)(m) and 25.3(8)(a) and (b) and order this case set for hearing. Roll
18 call vote: Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes;
19 Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED**
20 **UNANIMOUSLY.**

21
22 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 07-**
23 **18,** the Board find that the evidence gathered in the investigation, including
24 witness statements and the documentary evidence, does not corroborate the
25 allegations in the complaint, and that the Board therefore lacks probable cause to
26 proceed with this matter. Roll call vote: Aboud – yes; Chen – yes; Duehr – yes;
27 Johnson – yes; Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and
28 Dirks – yes. **MOTION CARRIED UNANIMOUSLY.**

29
30 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 07-19,**
31 the Board find that the evidence gathered in the investigation, including witness
32 statements and the documentary evidence, does not corroborate the allegations in
33 the complaint, and that the Board therefore lacks probable cause to proceed with

1 this matter. Roll call vote: Aboud – no; Chen – yes; Duehr – yes; Johnson – yes;
2 Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes.

3 **MOTION CARRIED.**

4
5 Ying Ying Chen moved, with a second by Jean Seeland, that in **case number 07-**
6 **20**, In the Matter of Alan Andreasen, the Board find probable cause to establish a
7 violation of the following provisions of the Code of Professional Conduct and Ethics,
8 282 IAC 25.3(6)(d) and 25.3(8)(a) and order this case set for hearing. Roll call vote:
9 Aboud – yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes; Paulsen – yes;
10 Robinson – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED**

11 **UNANIMOUSLY.**

12
13 Jean Seeland moved, with a second by Tammy Duehr, that in **case number 07-21**,
14 In the Matter of Alan Naylor, the Board find probable cause to establish a violation
15 of the following provisions of the Code of Professional Conduct and Ethics, 282 IAC
16 25.3(4)(a) and (e) and order this case set for hearing. Aboud recused himself from
17 the case. Roll call vote: Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes;
18 Paulsen – yes; Robinson – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED.**

19
20 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 07-**
21 **22**, In the Matter of Ashley Keller, the Board find probable cause to establish a
22 violation of the following provisions of the Code of Professional Conduct and Ethics,
23 282 IAC 25.3(1)(e)(5) and order this case set for hearing. Roll call vote: Aboud –
24 yes; Chen – yes; Duehr – yes; Johnson – yes; Jeffrey – yes; Paulsen – yes; Robinson
25 – yes; Seeland – yes; and Dirks – yes. **MOTION CARRIED UNANIMOUSLY.**

26
27 Jean Seeland moved, with a second by Tammy Duehr, that in **case number 07-24**,
28 the Board return the complaint and investigative report to the investigator to gather
29 further information regarding actions taken at the local level and return the case to
30 the Board for further consideration. Roll call vote: Aboud – yes; Chen – yes; Duehr
31 – yes; Johnson – yes; Jeffrey – yes; Paulsen – yes; Robinson – yes; Seeland – yes;
32 and Dirks – yes. **MOTION CARRIED UNANIMOUSLY.**

1 The Board dismissed **case number 07-09**, therefore, no action was taken on the
2 180-day deadline extension.

3
4 The Board dismissed **case number 07-10**, therefore, no action was taken on the
5 180-day deadline extension.

6
7 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 07-11**,
8 the Board extend the 180-day deadline for issuance of the final decision, due to the
9 need for additional time to conduct a hearing, prepare a proposed decision, and
10 review the proposed decision by the Board. **MOTION CARRIED UNANIMOUSLY.**

11
12 Merle Johnson moved, with a second by Jean Seeland, to approve the
13 August 3, 2007, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

14
15 Board Reports: Jean Seeland reported that she spoke at Upper Iowa regarding
16 ethical issues. Tammy Seeland reported that she, along with their human
17 resources person, gave an ethics presentation to the new teachers at their school.

18
19 Public Comment: Pete Hathaway, representing Sioux City Community Schools,
20 addressed the Board regarding the middle school endorsement.

21
22 Executive Director, Dr. George Maurer, presented the executive director's report.
23 The legislative reception and January board meeting were also discussed. It was
24 decided the board will meet Wednesday evening, January 30, 2008; the legislative
25 reception will be on Thursday, January 31, with the board meeting following the
26 reception.

27
28 Merle Johnson moved, with a second by Greg Robinson, to adopt the change to
29 Chapter 1.2 regarding the Organization and method of operation.

30 **MOTION CARRIED UNANIMOUSLY.**

1 John Aboud moved, with a second by Merle Johnson, to adopt the change to
2 Chapter 14.144 regarding the Requirements for Removal of an endorsement.

3 **MOTION CARRIED UNANIMOUSLY.**

4
5 Greg Robinson moved, with a second by Merle Johnson, to adopt the change to
6 Chapter 14.140(15) regarding the Middle school endorsement. **MOTION CARRIED**
7 **UNANIMOUSLY.**

8
9 Greg Robinson moved, with a second by John Aboud, to adopt the change to
10 Chapter 14.141(20) regarding Language Arts. **MOTION CARRIED**
11 **UNANIMOUSLY.**

12
13 The Board discussed Chapter 14.104(272) regarding Applicants from foreign
14 institutions and whether to set a cut score. It was decided a set cut score would
15 not be used. The rule will be brought back to the board.

16
17 Greg Robinson moved, with a second by Merle Johnson, to file under Notice of
18 Intended Action, the proposed change to Chapter 11.28(1) and (2)(17A, 272)
19 regarding Appeals and Review. **MOTION CARRIED UNANIMOUSLY.**

20
21 Jean Seeland moved, with a second by Greg Robinson, to file under Notice of
22 Intended Action, the proposed change to Chapter 17.5(1) regarding the Renewal
23 requirements for the standard license. **MOTION CARRIED UNANIMOUSLY.**

24
25 Tom Paulsen moved, with a second by Merle Johnson, to file under Notice of
26 Intended Action, the proposed change to Chapter 17.6(1) regarding the Renewal
27 requirements for the master educator license. **MOTION CARRIED**
28 **UNANIMOUSLY.**

29
30 John Aboud moved, with a second by Merle Johnson, to file under Notice of
31 Intended Action, the proposed change to Chapter 25.3(6) regarding the Code of
32 Professional Conduct and Ethics. **MOTION CARRIED UNANIMOUSLY.**

1 The Board discussed Chapter 14.106 regarding Adding endorsements to licenses
2 and Chapter 14.121(2) Adding endorsements. The language in the rules will be
3 modified and then moved forward.

4
5 The Board discussed Chapter 11.38 regarding Complaints, investigations,
6 contested case hearings. The rule will be brought back to the Board for further
7 discussion on how the department is to report misconduct.

8
9 The Board discussed Chapter 14.142(1)(c) regarding PK-12 Principal and PK-12
10 supervisor of special education. Additional changes will be made to the rule and
11 brought back to the board.

12
13 The Board discussed Chapter 14.142(2) regarding PK-8 Principal and 5-12
14 principal. Additional changes will be made to the rule and brought back to the
15 board.

16
17 Reports: The report on the Department of Education Chapter 79: Program
18 approval will be presented at another meeting.

19
20 John Aboud moved, with a second by Jean Seeland, that in **PFW 07-20**,
21 Todd Stabenow, the Board grant the Petition for Waiver. All members voted yes
22 except Merle Johnson. **MOTION CARRIED.**

23
24 John Aboud moved, with a second by Greg Robinson, that in **PFW 07-23**, Patrick
25 Kedley, the Board deny the Petition for Waiver. **MOTION CARRIED**
26 **UNANIMOUSLY.**

27
28 John Aboud moved, with a second by Jean Seeland, that in **PFW 07-21**, Jessica
29 Risse, and in **PFW 07-22**, Amy Buzynski, the Board grant the Petitions for Waiver
30 specific to their current Wapsie Valley educational assignments. **MOTION**
31 **CARRIED UNANIMOUSLY.**

1 Merle Johnson moved, with a second by Greg Robinson, that in **PFW 07-19**, James
2 Salvatore, the Board deny the Petition for Waiver. **MOTION CARRIED**
3 **UNANIMOUSLY.**

4
5 Judy Jeffrey congratulated George Maurer on being selected Central Region
6 Director for the National Association of State Directors' of Teacher Education and
7 Certification and that she is proud he is representing Iowa and the faculty.

8
9 There being no further business, Merle Johnson moved, with a second by Greg
10 Robinson, to adjourn the meeting. **MOTION CARRIED UNANIMOUSLY.**